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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,171	08/30/2001	Tsutomu Yamazaki	011350-285	6809

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EXAMINER

DESIRE, GREGORY M

ART UNIT PAPER NUMBER

2625

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/942,171

**Applicant(s)**

YAMAZAKI, TSUTOMU

**Examiner**

Gregory M. Desire

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2001.  
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-14 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 8/30/01 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/14/04.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear to the examiner whether the limitation should read "the recognized drawing number" or "the recognized page number."

3. Claim 5 recites the limitation "the recognized drawing numbers" in lines 3-4. There is insufficient antecedent basis for this limitation in the claim. **For purposes of rejection, the examiner will interpret the limitation to read "the recognized page number."**

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Takakura (5,752,053).

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Regarding method, apparatus and program claims 1, 9 and 12 Takakura discloses

Receiving a first document data and a second document data obtained by reading respectively a first document and a second document each having at least one drawing and a drawing number located in the vicinity of the drawing (note fig. 2a and col. 5 lines 7-11, show plurality of documents which includes a first and second document, and fig. 5c S5-10 in connection with col. 10 lines 16-17 and col. 3 lines 35-37 show to perform image editing the first and second document is read by a scanner, figure 2B shows the a document having at least one drawing (figure image) and a drawing number (character image 15, the examiner interprets character data in the reference to be drawing number because character data includes both text and numbers, specification describes drawing number as character strings).

Recognizing the drawing numbers from the first document data and the second document data (note fig. 2b and 2c and col. 5 lines 19-21, lines show first document (front cover) and second document (second page), wherein character images examiner interprets character images 15 and 19 to include drawing number, is recognized by fig. 2b and 2c.

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Changing corresponding data in the first document data and the second document data so that the recognized drawing numbers do not overlap each other (specification page 22-24 describes first document data and second document data are stored in a memory said data are changed to allocated group, the examiner interprets this as character data stored inserted into a format, thus data is changed to the allocated form as taught in the reference (note col. 10 lines 35-40 and 63-67 as part of

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the image editing procedure, inserting document data into a specific format prevents data overlap);

Printing an image based on the changed first and second document data (note col. 8 lines 58-67, col. 10 lines 35-48 and col. 14 lines 23-37, edited document is printed, document data which consists of character data which includes drawing numbers of plurality of pages is inserted into a format and print binding is executed).

Regarding method, apparatus and program claims 2, 10 and 13 Takakura discloses,

In which said drawing numbers recognized in said step (b) included those that are referenced in texts of the documents (note fig.2b character image 15 include text data).

Regarding method, apparatus and program claims 3, 11 and 14 Takakura discloses,

In which said corresponding data of the first document data and the second document data are changes to that the recognized drawing numbers becomes serial in said step (note col. 13 lines 53-63, examiner interprets character image sequentially displayed/overlaid as document data of recognized drawing numbers becoming serial.

Regarding method claim 4 Takakura discloses,

Receiving a first document data and a second document data obtained by reading respectively a first document and a second document each having a page number printed (note fig. 2a and col. 5 lines 7-11, show plurality of documents which

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includes a first and second document, and fig. 5c S5-10 in connection with col. 10 lines 16-17 and col. 3 lines 35-37 show in order to perform image editing the first and second document is read by a scanner, figure 2a shows the a document having a page number printed.);

Recognizing the page numbers from the first document data and the second document data (note fig. 2a and col. 5 lines 9-14, lines show first document (second) and second document (third page), wherein document format includes page number);

Changing corresponding data in the first document data and the second document data so that the recognized page number do not overlap each other (specification page 22-24 describes first document data and second document data are stored in a memory said data are changed to allocated group, the examiner interprets this as character data stored inserted into a format, thus data is changed to the allocated form as taught in the reference note col. 10 lines 35-40 and 63-67. As part of the image editing procedure, inserting document data into a specific format prevents data overlap.);

Printing an image based on the changed first and second document data (note col. 8 lines 58-67, col. 10 lines 35-48 and col. 14 lines 23-37, edited document is printed, document data which consists of character data which includes drawing).

Regarding method 5 Takakura discloses,

In which said corresponding data of the first document data and the second document data are changed so that the recognized page numbers becomes serial in

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said step (note col. 13 lines 53-63, examiner interprets character image sequentially displayed/overlaid as document data of recognized page numbers becomes serial).

Regarding claim 6 Takakura discloses,

A receiving unit for extracting a first caption group for identifying the drawing contained in the first document and a second caption group for identifying the drawing contained in the second document (note fig. 2a and col. 5 lines 7-11, show plurality of documents which includes a first and second document, and fig. 5c S5-10 in connection with col. 10 lines 16-17 and col. 3 lines 35-37 which show image editing of the first and second document being read by a scanner, figure 2B shows the a document having at least one drawing (figure image) and a drawing number (character image 15, the examiner interprets character data in the reference to be drawing number because character data includes both text and numbers, specification describes drawing number as character strings. The examiner interprets the drawing or drawing number to be caption group);

An extraction means for extracting a first a first caption group for identifying the drawing contained in the first document and a second caption group for identifying the drawing contained in the second document (note fig. 7A-1 edit data address, stores character data or figure data the examiner interprets as caption group); and

A conversion means for converting the first caption group and second caption group into a third caption group so that a character string in the first caption group does not overlap a character string the second caption group (specification page 22-24

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describes first document data and second document data are stored in a memory said data are converted to allocated group, the examiner interprets this as character data (caption group) stored being inserted into a format, thus data is converted to the allocated form as taught in the reference note col. 10 lines 35-40 and 63-67. As part of the image editing procedure, inserting caption data into a specific format prevents data overlap.).

Regarding claim 7 Takakura discloses,

Conversion means further converts character strings contained in the first document and the second document, which are identical to character strings that belong to the first caption group and the second caption group, into character strings that belong to the third caption group. The examiner interprets this limitation as understood in specification page22-24, as merely storing input data (i.e. character string in the first and second document) into another address (caption group). This is taught in Takakura col. 10 lines 35-45, wherein document contains text data, which can include character string.

Regarding claim 8 Takakura discloses,

Extraction means recognizes character string appended in the vicinity of the drawing as a caption based on positional information of the drawing and the character string (note fig. 2b, character image is in the vicinity of figure image and input editing



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process recognizes characters in vicinity of figure and edits, extracts processes the image).

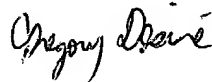
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory M. Desire whose telephone number is (703) 308-9586. The examiner can normally be reached on M-F (8:30-6:00) Second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (703) 308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory M. Desire  
Examiner  
Art Unit 2625



G.D.  
October 14, 2004